

MINUTES OF THE MEETING OF THE BAR-BENCH-MEDIA CONFERENCE

A meeting of the Bar-Bench-Media Conference was held on Monday, October 20, 2008, at 1:00 p.m. in the Supreme Court Conference Room in Wilmington. The Conference members in attendance were:

Members of the Electronic News Media

Peg Brickley

Chris Carl

John Dearing (by telephone)

Members of the Print News Media

Randall Chase

Rita Farrell (by telephone)

Members of the Bench

Justice Carolyn Berger

Judge Arlene Minus Coppadge

Members from the Bar

Francis G.X. Pileggi, Esquire

Chad M. Shandler, Esquire

The first agenda item was the approval of the draft minutes from the April 21, 2008 and July 14, 2008 Conference meetings. Both sets of minutes were approved.

Under Old Business, the second agenda item was Expanded Electronic Media Access to Delaware Courts and the Disney Report. Chris Carl reported that he submitted, on behalf of the Conference, the Disney Report to Chief Justice Steele by

letter dated October 9, 2008. The Conference will await the Court's guidance on the proposed expansion.

Under New Business, Rita Farrell commented that the information, concerning public access to court documents under the COTS system, provided by Carole Kirshner at the last Conference meeting was vague. Rita suggested that there needed to be a timeline for a decision on public access. She said that reporters should have a voice and have input into the decisions on access issues. Rita felt that the Delaware courts should look to the PACER system in the federal courts for guidance as to access issues and costs. The Conference members noted that there are confidentiality issues and privacy issues that have to be considered in an access policy. Redaction of documents is an issue for the courts because of limited staffs that will not have the time to do any redactions in an electronic system. Rita suggested that a letter be written to the COTS Operational Policy Committee raising the Conference's concerns on the issue of public access. Chris said that he would draft a letter.

Other issues that were briefly mentioned without discussion were: (1) the use of State funds versus private funds for travel by State employees, (2) document sealing, (3) a one day litigation seminar for the media with an emphasis on confidentiality and (4) having a member of the Court of Chancery attend the Conference meetings.

The dates for Conference meetings in 2009 were scheduled. The Conference will meet on January 12, 2009, April 20, 2009, July 13, 2009 and October 19, 2009. Kim Gattuso is the incoming Conference Chair.

The next meeting of the Conference is scheduled for Monday, January 12, 2009 at 12:30 p.m. in the Supreme Court Conference Room in Wilmington. Lunch will be provided.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Stephen D. Taylor".

SDT/dlc

January 22, 2009